

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

GREGORY STILLMAN,)	
)	
Plaintiff,)	
)	Case No.: 4:19-cv-00222
v.)	
)	
WAL MART STORES EAST I, LP,)	
)	
Defendant.)	
)	

**DEFENDANT WAL MART STORES EAST I, LP'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO DESIGNATE EXPERT WITNESS**

Defendant Wal Mart Stores East I, LP ("Walmart" or "Defendant") submits this Unopposed Motion for Extension of Time to Designate Expert Witness, respectfully requesting this Court to enter an Order extending the time for Defendant to serve its Designation of Expert Witness. In support of this Motion, Defendant states as follows:

1. Plaintiff filed his Petition in the Circuit Court of Jackson County, Missouri on January 23, 2019 alleging personal injuries as a result of alleged negligence on the part of Defendant.
2. Defendant was served on February 22, 2019.
3. On March 22, 2019, Defendant timely removed this action to this Court on the basis of diversity jurisdiction and filed its Answer and Affirmative Defenses that same day.
4. On April 23, 2019, the Parties participated in a Rule 26 Conference and developed a proposed Scheduling Order to present to the Court setting forth deadlines governing discovery and motion practice in this matter.

5. On April 23, 2019, Defendant served Plaintiff with its First Interrogatories and First Request for Production of Documents.

6. On May 31, 2019, Plaintiff filed his responses and objections to Defendant's discovery requests.

7. Thereafter, through June, July, August and September, the Parties engaged in correspondence and informal telephone conferences related to Plaintiff's medical treatment and medical records before and after the alleged incident at Walmart, with Defendant providing modified medical authorizations pursuant to agreement between Plaintiff and Defendant.

8. As of the date of this Motion, Plaintiff is still working to provide supplemental information to Defendant regarding Plaintiff's prior medical providers and medical treatment and Defendant is still obtaining records from medical providers reflecting that treatment. Accordingly, Defendant has yet to provide its expert with Plaintiff's complete medical records in this matter.

9. Defendant's Counsel has conferred with Plaintiff's Counsel and Plaintiff Counsel has agreed to an extension of Defendant's deadline to name its expert until October 30, 2019, with a full expert report to be provided within 30 days of an Independent Medical Exam of Plaintiff by Defendant's identified expert.

10. This is Defendant's first request for an extension of time to serve its Designation of Expert. Further, this request is made in good faith, for legitimate and proper reasons, and not for the purpose of undue delay.

11. Accordingly, Defendant respectfully requests the Court to enter an Order granting Defendant an extension of time to identify its expert witness on or before October 30, 2019, with an expert report to be provided within 30 days of Plaintiff's Independent Medical Exam.

WHEREFORE, Defendant respectfully requests that the Court grant an extension of time up to, and including, October 30, 2019, to serve its Designation of Expert Witness, with an expert report to be provided within 30 days of Plaintiff's Independent Medical Exam.

Respectfully submitted:

/s/ M. Jared Marsh

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 27th day of September 2019, the foregoing was electronically mailed to:

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